

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADANEW PRIORITY DATE:
MAR 22 2006

Date of filing in State Engineer's Office MAR 07 2002

Returned to applicant for correction MAR 27 2002

Corrected application filed MAY 23 2002

Map filed MAY 31 2002 under 68553

The applicant **Stuart L. Brown, D.B.A. Double Horseshoe Ranch L.L.C.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Groundwater Yellow Hills Well**
2. The amount of water applied for is **.04** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Stockwater**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **1,215 Head of Cattle**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NW of NW, Sec. 10, T41N, R23E, M.D.B.M., or at a point from which the NE Cor. Sec. 9, T41N, R23E, M.D.B.M., bears N 32°9'17" W, for a distance of 763.90'.**
6. Place of Use **BLM grazing permit, deeded land, see attachment A**
7. Use will begin about **4-1** and end about **10-31** of each year.
8. Description of proposed works **2 – 2,000 gal. troughs, well, windmill**
9. Estimated cost of works **\$40,000**
10. Estimated time required to construct works **well complete, 2 – 2,000 gal. troughs, windmill**
11. Estimated time required to complete the application of water to beneficial use **current use complete**

12. Remarks:

Stuart L. Brown, DBA.

Double Horseshoe Ranch, L.L.C.

By s/Stuart L. Brown

106 E. Adams St., Ste 212

Carson City, NV. 89706

Compared cmf/sam lb/cmf

Protested 7/26/02 by USDI BLM, Surprise Field Office;

Protest Overruled 10/10/03, See Ruling #5298

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.038 cubic feet per second, or sufficient water for 1215 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

December 4, 2004

Proof of completion of work shall be filed before:

January 4, 2005

Water must be placed to beneficial use on or before:

December 4, 2005

Proof of the application of water to beneficial use shall be filed on or before:

January 4, 2006

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of December, A.D. 2003

Tracy Taylor P.E.
By: Deputy State Engineer, Tracy Taylor, P.E.

Completion of work filed FEB 09 2005

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED FEB 07 2006 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT
Tracy Taylor P.E. STATE ENGINEER
Can. Rescinded 2-12-2007~~

ATTACHMENT A (Amended)

Nut Mountain Allotment

Township 44 North, Range 21 East:

All of sections 14, 15, 22, 23, 26, and 35
Portions of sections 4, 9 to 13, 16, 21, 24, 25, 27, 34, and 36

Township 44 North, Range 22 East:

Portion of section 31

Township 43 North, Range 21 East:

All of sections 1 to 3, 10 to 15, 23 to 27, and 34 to 36
Portions of sections 9, 16, 22, 28, and 33

Township 43 North, Range 22 East:

All of sections 7, 8, and 16 to 36
Portions of sections 4 to 6, 9, 10, and 13 to 15

Township 42 North, Range 21 East:

Portions of sections 1 to 3

Township 42 North, Range 22 East:

All of sections 1 to 5, 10 to 16, 21 to 28, and 34 to 36
Portions of sections 6, 8, 9, 17, 20, 29, 32, and 33

Township 42 North, Range 23 East:

All of sections ~~6-16~~^{SB}, 17 to 21, 28 to 32 *and 7*
Portions of sections 4, 5, 9, 15, 16, 22, 27, 33, ~~34~~^{SB} *AND 8. SB.*

Township 41 North, Range 22 East:

All of section 1
Portions of sections 2, 3, 11, and 12

Township 41 North, Range 23 East:

All of sections 4 to 6
Portions of sections 7 to 9 and 16